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10/12/90

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Date: June 21, 2001

Docket No.: 2360-0344P

Honorable Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 08/981,708 filed on April 6, 1998,  
the entire contents of which are hereby incorporated by  
reference,  
by

Andreas PEIKER

for

TELEPHONE SET WITH A HANDSET HAVING A MOUTHPIECE AND/OR AN  
EARPIECE

1.  Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:

		<b>LARGE ENTITY</b>		<b>SMALL ENTITY</b>	
<b>BASIC FEE</b>		\$710.00		\$355.00	
NUMBER FILED		NUMBER EXTRA		RATE FEE	
<b>TOTAL CLAIMS</b>		16-20 = 0		x 18 = \$0.00	
<b>INDEPENDENT CLAIMS</b>		2-3 = 0		x 80 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+ \$270.00	
		<b>TOTAL</b>		\$0.00	
				\$355.00	

3.  A check in the amount of \$355.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/981,708, filed on April 6, 1998, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/981,708, filed on April 6, 1998 and for which priority is claimed under 35 U.S.C. § 120. Application No. 08/981,708 is the national phase of PCT International Application No. PCT/IB96/00606 filed on June 24, 1996 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. 1843/95-9 filed in Switzerland on June 23, 1995; Application No. 575/96 filed in Switzerland on May 3, 1996; Application No. 679/96 filed in Switzerland on

March 14, 1996; Application No. 7/96 filed in Gambia on January 5, 1996; Application No. 678/96 filed in Switzerland on March 14, 1996; and Application No. 1236/96 filed in Switzerland on May 15, 1996 under 35 U.S.C. § 119.--

6.  Enclosed is/are eight (8) sheet(s) of formal drawings and/or photographs.
- 7a.  A statement claiming small entity status was filed in prior Application No. 08/981,708 on December 23, 1997. See the attached copy of the statement claiming small entity status.
- 7b.  The current application qualifies for small entity status.
8.  The prior application is assigned to \_\_\_\_\_.
9.  A Preliminary Amendment is enclosed.
- 10a.  Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b.  Priority of International Appln. PCT/IB96/00606 filed on June 24, 1996 under the Patent Cooperation Treaty and Application No. 1843/95-9 filed in Switzerland on June 23, 1995; Application No. 575/96 filed in Switzerland on May 3, 1996; Application No. 679/96 filed in Switzerland on March 14, 1996; Application No. 7/96 filed in Gambia on January 5, 1996; Application No. 678/96 filed in Switzerland on March 14, 1996; and Application No. 1236/96 filed in Switzerland on May 15, 1996 under 35 U.S.C. § 119 are hereby reclaimed.
11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12.  Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
or  
Customer No. 2292
13.  An extension of time for three (3) month(s) until June 21, 2001 has been submitted in parent Application No. \_\_\_\_\_

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08/981,708 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Charles Gorenstein, #29,271

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CG/JES:ewd  
2360-0344P

Attachments

(Rev. 01/23/01)